

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB -LFG

RIO CHAMA STREAM SYSTEM  
Section 1, Chama Mainstream

Subfile No. 194

**WITHDRAWAL OF MOTION FOR SUBSTITUTION OF PARTIES**

The Plaintiff State of New Mexico, *ex rel.* State Engineer hereby withdraws the *Motion for Substitution of Parties* filed September 2, 2011 (Docket No. 10550) (“Motion”). Since the September 2, 2011, Motion was filed, the Personal Representative of the Estate of Rebecca A. Serna has contacted the undersigned attorney for the State of New Mexico and provided the State with information on the heirs of Benjamin E. Serna, the probate of the Estate of Rebecca A. Serna, and the current status of the ownership of the interests of Ben E. Serna a/k/a Benjamin Serna (deceased) in the lands associated with Subfile No. 194. The State intends to refile a motion for substitution of parties using this corrected information.

Respectfully submitted,

/s/ Ed Newville

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 7<sup>nd</sup> day of September 2011, I filed the foregoing electronically through the CM/ECF system which caused the parties listed on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM/ECF Participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Estate of Rebecca A. Serna  
Xavier E. Serna, PR  
704 Turner NE  
Albuquerque, NM 87123

Jane Serna  
P.O. Box 482  
Española, NM 87532

Annadelle Sanchez  
P.O. Box 482  
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Betty Norris  
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Leopoldo Serna  
P.O. Box 482  
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/s/ Ed Newville  
EDWARD G. NEWVILLE